

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 03-20104 BV
	)	
OMAR ABDI JAMAL,	)	
	)	
Defendant.	)	

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ORDER GRANTING DEFENDANT'S MOTION FOR BILL OF PARTICULARS WITH  
RESPECT TO COUNTS 1, 2, and 3

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Defendant Omar Abdi Jamal has been charged in a six count indictment with allegedly making false statements in connection with his application for asylum in violation of 18 U.S.C. § 1546, 18 U.S.C. § 1001, and 18 U.S.C. § 2. On February 9, 2004, Jamal, by and through his attorney, filed a motion for a bill of particulars with respect to Counts 4, 5, and 6 of his indictment. The motion was referred to the United States Magistrate Judge for a determination.

Pursuant to Local Criminal Rule 12.1, responses to motions are required to be filed within eleven days of the service of the motion if a party opposes the motion. The government has failed to respond to the defendant's motion for a bill of particulars and the time for response has expired. Local Rule 12.1 further provides

that "[f]ailure to file a response will constitute a waiver of any objections which the party may have to a motion."

In the absence of any response by the government, it is assumed that the government has no opposition to the motion and any objections it might have had to the motion are waived. Accordingly, the defendant's motion for a bill of particulars with respect to Counts 1, 2, and 3 of the indictment is granted.

IT IS SO ORDERED this 26th day of February, 2004.

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DIANE K. VESCOVO  
UNITED STATES MAGISTRATE JUDGE

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